



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Jeffrey & Christa Pietrzyk
DOCKET NO.: 16-01277.001-R-1
PARCEL NO.: 14-12-10-205-039-0000

The parties of record before the Property Tax Appeal Board are Jeffrey & Christa Pietrzyk, the appellants, and the Will County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$25,000
IMPR.: \$140,400
TOTAL: \$165,400

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Will County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2016 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a two-story dwelling of brick and frame construction with approximately 3,809 square feet of living area.¹ The dwelling was constructed in 2014. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an attached three-car garage. The property has a .35-acre site on Lake F and is located in the Sunset Lakes Development, Manhattan, Manhattan Township, Will County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted a retrospective appraisal estimating the subject property had a market value

¹ The appellants' appraiser included a schematic drawing to support a dwelling size of 3,809 square feet based upon plans and the appraiser's onsite measurements. The assessing officials provided a property record card with a reported dwelling size of 3,997 square feet of living area. On this limited record, the Property Tax Appeal Board finds that the appellants provided the more detailed analysis of dwelling size, but also finds that the slight size discrepancy does not prohibit a determination of the correct assessment on this record.

of \$400,000 as of January 1, 2016. The appraisal report was dated August 17, 2016. The appraiser prepared both the cost and sales comparison approaches to value.

Under the cost approach, the appraiser estimated the subject had a site value of \$65,000.² The appraiser estimated the replacement cost new of the improvements to be \$467,387. The appraiser estimated physical depreciation and external obsolescence. Physical depreciation was estimated to be \$15,564 and external obsolescence "from the market, per the area distressed or forced sales since 2008 affecting newer, higher end, construction in the area" was estimated to be \$116,847 resulting in a depreciated improvement value of \$334,976. The appraiser also included landscaping/drive in the estimate of cost-new. Adding the land and the depreciated improvement value, the appraiser estimated the subject property had an estimated market value of \$400,000 under the cost approach to value.

Using the sales comparison approach, the appraiser analyzed six sales of comparable homes located between 0.02 and 0.26 of a mile from the subject property. Sales #1 and #3 each have water front/rights like the subject. The comparables consist of a 1.5-story and five, two-story dwellings which were 1 to 9 years old. The comparables range in size from 2,950 to 3,503 square feet of living area. Each of the comparable properties has a full unfinished basement, one of which is a walkout-style, central air conditioning, a fireplace and an attached three-car garage. The comparables sold between December 2013 and December 2015 for prices ranging from \$335,000 to \$395,000 or from \$104.23 to \$126.24 per square foot of living area, including land.

In comparing the comparable properties to the subject, the appraiser made upward adjustments for lack of water front/rights, differences in design for the 1.5-story dwelling, room count, dwelling size and walk-out style basement. This analysis resulted in adjusted sales prices for the comparables ranging from \$369,000 to \$440,000, land included.

Based on this evidence, the appellants requested a reduction in the subject's total assessment to reflect the appraised value at the statutory level of assessment of 33.33%.³

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$165,400. The subject's assessment reflects a market value of \$497,294 or \$130.56 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Will County of 33.26% as determined by the Illinois Department of Revenue.

In response to the appellants' appeal, the board of review submitted documentation, including a memorandum, prepared by the Manhattan Township Assessor's Office. The appellants' appraisal was criticized in the memorandum for failing to present any comparable sales on lake lots whereas the subject property includes lake frontage.

² As part of the appraisal report, it was noted that the subject parcel was purchased in 2013 for \$65,000 which was inclusive of \$5,000 for reported lake rights. The appraiser wrote, "As such that established the market value of the subject lot. The assessor reflects that subject's land to be +-\$75,000." No other specific vacant land sales were presented to support the land value conclusion as of January 1, 2016.

³ As part of the submission the appellants requested a reduction in the subject's land assessment to reflect a market value of \$65,000 which would reflect the June 2013 vacant land purchase price.

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales located in the subject's subdivision. The comparables consist of two-story dwellings which were built between 2006 and 2016. The comparables range in size from 3,100 to 4,128 square feet of living area. Each of the comparable properties has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 670 to 1,468 square feet of building area. The comparables sold between October 2013 and April 2016 for prices ranging from \$430,000 to \$556,000 or from \$116.28 to \$157.24 per square foot of living area, including land.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellants contend that the dwelling size of the subject was measured by the appraiser and the property record card for the subject with construction costs more closely reflects the appraised value rather than the estimated market value based upon the assessment. Given the original submission, the appellants contend the subject property has been overvalued by the assessing officials.

Conclusion of Law

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants submitted an appraisal of the subject property with a final value conclusion of \$400,000 as of January 1, 2016 by analyzing six sales of similar properties located in close proximity to the subject which sold between December 2013 and December 2015. The purpose of the appraisal was for a property assessment appeal and the rights appraised were fee simple. The board of review submitted six additional sales of similar properties for consideration which occurred between October 2013 and April 2016, however, no adjustments were made to these suggested sales for differences from the subject. Two of these sales presented by the board of review were newer construction with sale prices of \$515,000 and \$556,000 which appear to be outliers given all of the data in the record and have therefore been given reduced weight in the Board's analysis. Board of review comparable #5 has also been given reduced weight since the sale occurred in October 2013, a date more remote in time to the valuation date at issue and thus less likely to be indicative of market value as of the assessment date.

After examining the appellants' appraisal report in light of the recent sales data within the subject's subdivision of similar properties that the appraiser failed to include in the appraisal report, the Board finds that the appraised value conclusion is not a credible or reliable indicator of the subject's estimated market value as of the assessment date of January 1, 2016. The appraiser failed to articulate why board of review sales #2, #4 and/or #6 were not valid recent sales of comparable dwellings for consideration in the appraisal report. The sales occurred between March and October 2015 for prices ranging from \$430,000 to \$498,500 and consisted of

one-year-old dwellings that range in size from 3,100 to 4,128 square feet of living area and thus are similar to the two-year-old subject dwelling that contains approximately 3,809 square feet of living area.

The Board finds the best evidence of market value to be board of review comparable sales #2, #4 and #6. These board of review comparable sales sold for prices ranging from \$116.28 to \$138.71 per square foot of living area, including land. The subject's assessment reflects a market value of \$497,294 or \$130.56 per square foot of living area, including land, which is within the range established by the best comparable sales in the record presented by the board of review. Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.

Chairman



Member



Member

Member



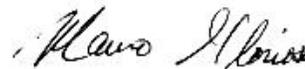
Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: July 16, 2019



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Jeffrey & Christa Pietrzyk
24230 S. Lakeshore Dr
Manhattan, IL 60442

COUNTY

Will County Board of Review
Will County Office Building
302 N. Chicago Street
Joliet, IL 60432